CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA
REGULAR MEETING

MAY 20, 2008

INVOCATION:
Pastor Herbert Burch of Grace Lutheran Church gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Members of the Los Padres Council of Boy Scouts of America, Troop 95, led the pledge of allegiance.

CALL TO ORDER:
Mayor Lavagnino called the Regular Meeting of the City Council to order at 6:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino

STAFF MEMBERS PRESENT
City Manager Ness, City Attorney Trujillo, Assistant City Manager Haydon, Director of Public Works/City Engineer Whitehead, Director of Utilities Sweet, Director of Recreation and Parks Posada, Director of Administrative Services Snodgrass, Planning Division Manager Woods, Police Chief Macagni, Fire Chief Ortiz, Fire Battalion Chief Orr, Advance Planner Smith, Planner III Shipsey, Planner II Halvorson, Community Programs Manager Coelho-Hudson, and Chief Deputy City Clerk Perez.

PRESENTATION ON LOBBYING EFFORTS
Greg Burns of Marlowe and Company gave an overview of the lobbying firm's efforts on behalf of the City to secure federal funds for the Santa Maria Levee, the Intermodal Transit Center, and the new library. To date they have been successful in gaining appropriations to fund a Design Deficiency Report by the Army Corp of Engineers on the levee in the amount of $280,000, $500,000 toward the new Intermodal Transit Center, and $200,000 for the new library. The Army Corps of Engineers has released a Draft Levee Deficiency Report. They should be commended for their quick response. Marlowe and Company's current efforts involve gaining design and construction funds for the first phase of the levee repair in the amount of $8.5 million from the Energy & Water Appropriations Act and $1.5 million in additional funds from the Transportation, Housing and Urban Development Appropriations Act for the Intermodal Transit Center. In addition to the funding requests, they have prepared and presented legislation to the City's representatives in Washington, D.C. that would be favorable to the needs of the City. One such piece of legislation would allow local entities to seek reimbursement from the Federal Government for fixes to the levee and allow the restoration of the levee to proceed with fewer potential obstacles. Another piece of legislation that has received Congressional support involves significantly reducing flood insurance rates for residents over a five-year period when a faulty levee has resulted in their homes being placed in a flood zone.

Mayor Lavagnino commended Mr. Burns for everything Marlowe and Company has done on behalf of the City.

PRESENTATION ON ECONOMIC IMPACT OF CHUMASH CASINO
Joe Armendariz, Executive Director of the Santa Barbara County Taxpayers Association, gave an overview of the recently completed Economic Impact Study on the Chumash Casino Resort and the impacts of the Casino on Santa Barbara County. In 2006, the Chumash Casino employed 1,587 people, spent more than $185 million on labor, goods, services, and distributions of income in Santa Barbara County. The operations of the Casino generated the collection of $16.6 million in state and federal payroll taxes. The Casino generated, directly and indirectly, an estimated $366 million of gross sales in Santa Barbara County annually. Of this total, $159 million was

allocated to wages and salaries of workers and payments to contractors and property owners. These impacts translated into the creation of 700 jobs in addition to the more than 1,500 workers employed at the Casino in 2007. Expenditures on goods and services provided by Santa Barbara County vendors accounted for 10 percent of the job generation, and larger percentages of the output and income impacts. By far, the largest contributor to the region's economy was the impact from payrolls to Casino workers who re-spend much of that income in the Santa Barbara County economy. That re-spending accounted for $58 million in additional sales, nearly 400 jobs created in the County economy, and $14 million in tax payments to all government claimants. In general, for every 10 jobs at the Casino, there were four additional jobs created in the community, and slightly more created outside Santa Barbara County. In addition, the size and nature of the Casino served as an attraction to visitors from outside Santa Barbara County. A large boost in tourism in Santa Barbara County occurred in 2004, the first year in which the current Casino was fully operational. While Santa Barbara was a major tourism destination in the State, the presence of the Casino gave visitors more reasons to travel to Santa Barbara County. In summary, the Chumash Casino Resort is a significant economic enterprise in Santa Barbara County.

Councilmember Orach stated it was interesting that the Casino Resort was listed as the second fastest growing employer in the County, but all the other employers on the list were government employers, not private enterprises.

Councilmember Patino asked what percentage of the Casino employees live in the North County.

Mr. Armendariz stated he did not have the exact specifics; however, it was his understanding that the majority of the employees who work at the Casino lived in Lompoc, Santa Maria, and surrounding area.

RESOLUTION – COMMENDING KENNETH GEORGE, JR.

Councilmember Zacarías read a resolution honoring and commending Kenneth George, Jr., a Lieutenant with the Santa Maria Police Department, for 21 years of faithful, distinguished, and devoted service and congratulating him on his retirement.

Resolution No. 2008-64 was adopted on motion by Councilmember Zacarías, seconded by Councilmember Orach, and carried on the following vote:

AYES: Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2008-64 adopted. A RESOLUTION COMMENDING SANTA MARIA POLICE LIEUTENANT KENNETH GEORGE, JR. FOR HIS 21 YEARS OF OUTSTANDING SERVICE TO THE CITY OF SANTA MARIA AND CONGRATULATING HIM ON HIS RETIREMENT.

Councilmember Zacarías presented the resolution to Ken George.

Lieutenant George thanked the City for giving him a job 21 years ago. He said he was blessed to have worked with great people and hoped to enjoy his retirement.

Councilmember Orach stated Lieutenant George was "Mr. Special Olympics" and had been very involved in the Special Olympics for many years and had also served as the Police Chief of Allan Hancock College for the last four years.

Councilmember Trujillo stated Lieutenant George was also a Marine and thanked him for his service to the Country and the community.

GEM AWARD
City Manager Ness presented the quarterly "Going the Extra Mile" or "GEM" Award to Police Sergeant Larry Vernon in recognition of his outstanding contribution of personal time to the community and going above and beyond the call of duty. He has shown a significant personal commitment to the Good Samaritan Shelter including serving on the Board of Directors for 10 years, the last two as president. He personally organized an Easter dinner at the Santa Maria Veterans Memorial Center which was attended by over 600 community members. He secured $500 from the Santa Maria Police Officers Association to buy board games for children at Christmas, and has been instrumental in expanding the Good Samaritan Shelter's role beyond sheltering the homeless, to education, nutrition and rehabilitation programs. His tireless energy greatly enabled the opening of Charlene's Closet, a Good Samaritan shelter store where families affected by homelessness can "shop" for necessities.

Sergeant Vernon said he felt humbled by the recognition. He said he was only one of many City employees who donated their time to other organizations and fund raisers in the community.

PROCLAMATION – HONORARY FIREFIGHTER
Mayor Lavagnino read a proclamation declaring Richard Emilio DeLeon an Honorary Firefighter with the Santa Maria Fire Department. Richard DeLeon is a 17-year old Junior at Nipomo High School who has always had a dream of becoming a firefighter, but will be unable to fulfill that dream due to a rare medical condition. He has been selected by the Santa Maria Elks Rodeo to be the Junior Grand Marshall for their annual parade. The Santa Maria Fire Department and the Santa Maria Firefighters Local 2020 commend Richard DeLeon for his generosity of spirit and positive attitude. The proclamation was accepted by Richard Emilio DeLeon.

Fire Battalion Chief Orr presented Richard DeLeon with a plaque containing an official honorary badge and patch. Members of the Firefighters Local 2020 presented him with an official Fire Department sweatshirt, shirt and hat to wear in the parade while riding on the City's ladder truck.

VOLUNTEERS OF THE MONTH
Councilmember Orach presented gifts to Ellery White, Hillary Krumholz, and Natalie Hoffman, the May Recreation and Parks Volunteers of the Month, for their dedication and creativity in playing the part of the Easter Bunny during the 5th annual Eggstravaganza.

PROCLAMATION – UNDERAGE DRINKING PREVENTION MONTH
Councilmember Patino talked about "Every 15 Minutes" which was held at Santa Maria High School on May 20th, an event held each year at graduation time to teach high school students the consequences of drinking and driving.

Councilmember Patino read a proclamation declaring the month of May 2008 as "Underage Drinking Prevention Month" in the City of Santa Maria and calling upon all residents, parents, youth, government agencies, public and private institutions, businesses and workplaces, hospitals and schools in Santa Maria Valley to support efforts by Fighting Back Santa Maria Valley Coalition for the prevention of drug and alcohol abuse that will reduce and prevent underage drinking in our community. The proclamation was accepted by Troi Hoffman from Fighting Back Santa Maria Valley.

PROCLAMATION – ENERGY EFFICIENCY MONTH
Councilmember Trujillo read a proclamation declaring the month of June 2008 as "Energy Efficiency Month" in the City of Santa Maria and encouraging residents to reduce their energy consumption by replacing old appliances and light bulbs with energy efficient models and by reducing electricity use at peak times from 12 a.m. to 7 p.m. The proclamation was accepted by Shannon Seifert, Santa Maria YMCA.

ANNOUNCEMENTS
Director of Public Works/City Engineer Whitehead announced that the City had recently purchased three new SMAT buses with a new color scheme. They were blue and

yellow with the ship and sunburst on the front. They seat 40 passengers, are equipped with security cameras, are fully handicapped accessible, use the ultra-low sulfur diesel, and get better gas mileage than the older buses.

PUBLIC COMMENT

Robert Armstrong spoke on behalf of the Santa Maria Community Coalition regarding Consent Agenda Item 3I, Wastewater Treatment Plant Expansion, Phase II, and asked several questions about the project.

Paula James spoke on behalf of the Minuteman Civil Defense Corps and talked about the immigrants she had met during her life, immigrants who have followed the laws. Illegal immigrants do not follow the laws. She asked that the Police Department question people who were contacted by Police Officers and ask if they were here legally; and if not, they be turned over to ICE.

John Everett spoke on behalf of the Boys Scouts of America and the Live Oak District of the Los Padres Council. He stated the District was doing great and gave a brief overview of their accomplishments last year. He talked about Scout Reach, a well-supervised, after-school soccer program.

Joe Goldberg spoke regarding the shrinking of retail florists stores due to big box stores, grocery stores and the internet selling flowers. Their biggest sales days were holidays such as Valentine's Day, Mother's Day, and others. On holidays, the flower vendors which littered the street corners were seriously hurting the retail florists. He asked that the Council ban flower vendors that set up on the street corners.

Mayor Lavagnino requested staff investigate what could be done.

Paul Bongiorno stated Senator Feinstein snuck a bill through to allow 1.3 million more illegal aliens to work in the agriculture industry and to bring their families with them. He asked the Council to call or fax Senator Feinstein opposing the bill. He asked the Council to spend the money necessary to send Police Officers to the 287g training.

Frank Ricceri spoke regarding Transitions Mental Health Association and impacts of proposed cuts to the County budget for mental health treatment. He asked the Council and the public to support Transitions and help them keep funding for their programs.

Richard Dydell spoke regarding the H2A Legal Agricultural Workers Program. He said he learned there were going to be major revisions to that program, and he would provide any new information to the Council at a later date. He also talked about the cost of his wife's treatment at Marian Medical Center while illegal aliens were treated free of charge. He was forced to get a divorce to protect his life savings so his wife could obtain medical care.

Joan Leon spoke on behalf of the Santa Maria Community Coalition regarding consent Agenda Item 3I, Wastewater Treatment Plant Expansion, Phase II. She listed the Coalition's concerns regarding the project.

Bruce Severance, Signcraft, Inc., stated that the vast majority of the Latino residents in the community were here legally, and he took exception to the comments from the Minutemen. He spoke regarding the sign ordinance revisions, Item 5 on the agenda, as he could not stay until that item came up. He submitted comments to the City Council on the sign ordinance.

CONSENT CALENDAR

Councilmember Trujillo, Councilmember Patino, and Councilmember Orach requested Item M and N be pulled for discussion. Councilmember Zacarías requested Item I be pulled for discussion. Councilmember Patino also asked for Item J to be pulled for discussion.

Item I – Wastewater Treatment Plant Expansion Award of Bid
Councilmember Zacarías asked about the funding for the Wastewater Treatment Plant Expansion Project, Phase II.

Utilities Director Sweet explained that Joan Leon had emailed her questions prior to the meeting and staff had responded to them. The City had funds currently in the amount of $4.4 million in Growth Mitigation Fees. They expected to obtain about half a million dollars each year over the next few years. The fund currently had a cash balance of $36 million to cover this project with no additional funds needed from any other source. They were also in the final stages of receiving a $4.8 million grant to help fund this project.

City Manager Ness stated the Wastewater Treatment Plant Expansion Project would provide capacity to build-out of the City.

Item J – School Crossing Guard Program
Councilmember Patino stated this was not an inexpensive program; however, she was very proud of the City for partnering with the School District to provide this program for the schools.

Item M – Grand Jury Report on NHIS
Councilmember Trujillo stated the City Council voted several years ago to allow NHIS, and it had proven to be a very worthwhile project. The consultants and now the Grand Jury found that it was a win-win situation. It was a good decision then and continues to be a good decision.

Councilmember Patino stated in order for this to go to the Grand Jury, someone in the community had to complain. The Grand Jury found the NHIS program to be safe, legal, profitable, and benefited the residents of the community.

Councilmember Zacarías stated she was one of the individuals who did not know what NHIS was all about in the beginning. It was very reassuring that this type of investigation had been done, and that the Grand Jury found that it was a beneficial program. She commended the City for its outreach program over the last few years to educate the public on the program.

Councilmember Orach stated he was happy with the Grand Jury's Report.

Item N – Grand Jury Report on Groundwater
Councilmember Trujillo stated perhaps in the future the City could do a better job of advising the public. This was another program that was very innovative and a win-win situation for the community. The California Public Works Association awarded the Central Coast Water Authority the "Project of the Decade" award for purchasing State Water and its management.

Councilmember Patino read from the Grand Jury Report finding the City's program for the sale of supplemental water was safe and legal, and the City Council acted properly and in the best interests of the community.

Consent Calendar Items A through N were approved on motion by Councilmember Orach, seconded by Councilmember Zacarías, and carried on the following vote:

AYES: Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

A. ORDINANCES
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar were adopted by the same vote cast at the first reading unless City Council indicated otherwise.

B. MINUTES
The Minutes of the Regular City Council Meeting of May 6, 2008, were approved as submitted.

C. WARRANTS
Warrant Nos. 141957 to 142277 in the amount of $1,838,294.45 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant Nos. 133886, 134838, 139603, 141721, 141791, 141792, 141840, 141932, and 142045 were cancelled.

D. PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads, as shown on records on file in the Department of Administrative Services and having been approved for payment by the Director of Administrative Services.

E. FINAL ALLOCATIONS
Resolution No. 2008-65 was adopted approving the Final Allocations and activities for use of Federal funds under the CDBG Program and the HOME Programs for Fiscal Year 2008-09 as determined by the City Council at its meeting on April 15, 2008.

Resolution No. 2008-65 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING THE FINAL ALLOCATIONS AND ACTIVITIES FOR USE OF FEDERAL FUNDS UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM AND THE HOME INVESTMENT PARTNERSHIPS (HOME) PROGRAM FOR FISCAL YEAR 2008-2009 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS ON BEHALF OF THE CITY OF SANTA MARIA FOR APPLICATION OF THE FUNDS.

F. CALL FOR BIDS
Council granted approval to call for bids on the plans and specifications for South College Drive Intersection Improvements, Bid No. 2009/02.

G. CALL FOR BIDS
Council granted approval to call for bids on the plans and specifications for the 2008 Street Maintenance (Chip Seal) Program, Bid No. 2009/03.

H. NOTICE OF CONTRACT COMPLETION
Council approved the Notice of Contract Completion for East Betteravia Road Widening & Betteravia and Blosser Roads Traffic Signal Interconnect, Bid No. 2007/05 and authorized the Chief Deputy City Clerk to record same.

I. AWARD OF BID
Resolution No. 2008-66 was adopted approving an agreement with Stanek Constructors, Inc., for Bid No. 2008/01, Wastewater Treatment Plant Expansion, Phase II, in the amount of $15,917,000.

Resolution No. 2008-66 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING A CONTRACT WITH STANEK CONSTRUCTORS, INC., FOR WASTEWATER TREATMENT PLANT EXPANSION, PHASE II, BID NO. 2008/01.

J. SCHOOL CROSSING GUARD PROGRAM
Resolution No. 2008-67 was adopted approving a three-year renewal agreement with the Santa Maria-Bonita School District for sharing of costs for the school crossing guard program.

Resolution No. 2008-67 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING AN AGREEMENT WITH SANTA

MARIA-BONITA SCHOOL DISTRICT FOR SHARED FUNDING OF THE SCHOOL CROSSING GUARD PROGRAM.

K. NO STOPPING ZONES
Resolution No. 2008-68 was adopted approving the establishment of no stopping zones on West McCoy Lane near South Westgate Road.

Resolution No. 2008-68 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADOPTING NO STOPPING ZONES ON WEST MCCOY LANE AND SOUTH WESTGATE ROAD PURSUANT TO SECTION 7-5.16 OF THE SANTA MARIA MUNICIPAL CODE.

L. ENGINEER'S REPORTS
Resolution No. 2008-69 was adopted approving the 2008-09 Engineer's Reports for the Northwest, Northeast, South Miller Street/South College Drive, and Southwest Landscape Maintenance Districts and 18 Special Benefit Zones and Resolution No. 2008-70 was adopted stating the Council's intent to levy and collect assessments and setting a date for a public hearing to be held on July 15, 2008.

Resolution No. 2008-69 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING THE ENGINEER'S REPORTS FOR ASSESSMENT PROCEEDINGS.

Resolution No. 2008-70 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON FOR THE FOUR LANDSCAPE MAINTENANCE DISTRICTS AND THE EIGHTEEN SPECIAL BENEFIT ZONES.

M. GRAND JURY REPORT
Council approved the City's response to the Santa Barbara County Grand Jury Report entitled "*The Santa Maria Landfill – NHIS – Win-Win for Santa Maria*" and authorized the Mayor and City Manager to sign the Council's response and the City Clerk to transmit to the Presiding Judge of the Superior Court and the Grand Jury.

N. GRAND JURY REPORT
Council approved the City's response to the Santa Barbara County Grand Jury Report entitled "*Santa Maria Groundwater: From Water to Police and Fire Personnel*" and authorized the Mayor and City Manager to sign the Council's response and the City Clerk to transmit to the Presiding Judge of the Superior Court and the Grand Jury.

Mayor Lavagnino moved Item 6 forward to this point in the agenda.

MEASURE A 2008 TRANSPORTATION INVESTMENT PLAN
Director of Public Works/City Engineer Whitehead gave the staff report. Measure A is a renewal of the one-half cent sales tax in Santa Barbara County, known as Measure D, which provides funding for transportation infrastructure maintenance and capital projects. The Measure A Transportation Investment Plan, to be placed before countywide voters at the November 2008 election, was balanced and carefully crafted to address the transportation needs of both the Southern and Northern communities of Santa Barbara County. Santa Barbara County Association of Governments (SBCAG) administered the Measure D program over the last 18 years very effectively. Over the last year, they were responsible for spearheading the Measure A Plan.

Gregg Hart of SBCAG, presented an overview of Measure A. The proposed Measure A 2008 renewal is different from the current Measure D Program in several ways. He talked about the Highway 101 widening project from Santa Barbara to Ventura and the status of that project. He touched on the reasons the 2006 Measure D renewal proposal failed to pass and the process of developing the new Measure A. Under Measure A, the money would be split 50-50 between the North County and the South County. The Local Share is reduced slightly as a result of $140 million "off the top" for the final phase of the US 101

widening project in Santa Barbara. The Measure A Regional Project List contains five major projects on US 101 in Santa Maria, including the Union Valley Parkway Interchange, the Santa Maria Bridge widening to six lanes, the McCoy Lane Interchange, the Highway 135 Interchange, and the Betteravia Loop Ramps. Alternative Transportation projects are included. It also included significant funding for the Clean Air Express and the Breeze regional transit services. Several other transit, pedestrian, and bike projects are included on the regional transportation list. There was also a requirement that the City of Santa Maria devote at least 15% of its Local Share to "Alternative Transportation Expenditures."

Councilmember Patino stated she understood that Union Valley Parkway was now $11 million more than originally estimated.

Gregg Hart explained the funding that was allocated in the Plan was not full funding for the project. It would be the local share that would be used to leverage other dollars.

Resolution No. 2008-74 was adopted approving the Measure A 2008 Transportation Investment Plan on motion by Councilmember Orach, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2008-74 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING THE MEASURE A 2008 TRANSPORTATION INVESTMENT PLAN TO BE PLACED ON THE NOVEMBER 4, 2008, GENERAL ELECTION BALLOT.

GENERAL PLAN (LAND USE) AMENDMENT AND ZONE CHANGE FOR FIRE STATION #3, LOCATED AT 1610 EAST DONOVAN ROAD.

Planner III Shipsey gave the staff report. The City Council is asked to consider a recommendation from the Planning Commission to approve a Mitigated Negative Declaration of Environmental Impact (E-2007-084), an amendment to the General Plan (Land Use) from HDR-22 (High Density Residential) to CF (Community Facilities) and a Zone Change from PD/R-3 (Planned Development/Multi-Family Residential) to PF (Public Facilities) for 1.36 acres, Assessor's Parcel No. 128-033-038. The project site was formerly part of the 19-acre home of the Santa Maria Riding and Roping Club. In 1990, Santa Barbara County declared the site excess property, and it was sold for the development of the Merrill Gardens project that has over 200 apartment units and 36 rooms for dementia care. The southwest corner of the Merrill Gardens property was parceled from the larger site, and the City purchased the vacant parcel in 2004. A project review permit was being processed concurrently with the General Plan Amendment and Zone Change. At its regularly scheduled meeting on April 16, 2008, the Planning Commission adopted Resolution Nos. 2505 and 2506 on a 4-0 vote, with Commissioner Brown absent, recommending that the City Council approve the Mitigated Negative Declaration, adopt the Mitigation Monitoring Program, and approve the General Plan amendment and zone change. The Commission will act on the Project Review Permit at its meeting on May 21, 2008.

Mayor Lavagnino commented that this was one piece of the puzzle. There would be another Fire Station built further to the north. Eventually, the goal is that anyone in Santa Maria would be able to dial 911, and the Fire Department would be there in five minutes.

Mayor Lavagnino opened the public hearing. Hearing no requests to speak, Mayor Lavagnino closed the public hearing.

Resolution No. 2008-71 was adopted authorizing the filing of a Mitigated Negative Declaration of Environmental Impact, E-2007-084, on motion by Councilmember Orach, seconded by Councilmember Trujillo, and carried on the following vote:

AYES: Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2008-71 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADOPTING MITIGATED NEGATIVE DECLARATION, E-2007-084, FOR THE SANTA MARIA FIRE STATION #3 PROJECT, GPZ-2007-005, U-2007-045(PR), ASSESSOR'S PARCEL NO. 128-033-038, LOCATED AT 1670 EAST DONOVAN ROAD.

Resolution No. 2008-72 was adopted amending the General Plan (Land Use) on motion by Councilmember Orach, seconded by Councilmember Trujillo, and carried on the following vote:

AYES: Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2008-72 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING A GENERAL PLAN (LAND USE) AMENDMENT FOR THE SANTA MARIA FIRE STATION #3 PROJECT, GPZ-2007-005, ASSESSOR'S PARCEL NO. 128-033-038, LOCATED AT 1670 EAST DONOVAN ROAD (1.36 ACRES).

Ordinance No. 2008-09 rezoning the property was introduced by title only for first reading and continued to the next meeting for second reading and adoption on motion by Councilmember Orach, seconded by Councilmember Zacarías, and carried on the following vote:

AYES: Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Ordinance No. 2008-09 introduced. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, REZONING PROPERTY FOR THE SANTA MARIA FIRE STATION #3 PROJECT, GPZ-2007-005, ASSESSOR'S PARCEL NUMBER 128-033-038, LOCATED AT 1670 EAST DONOVAN ROAD (1.36 ACRES).

ZONING TEXT AMENDMENTS

Planner II Halvorson gave the staff report. The City Council is asked to consider a recommendation from the Planning Commission regarding a Negative Declaration of Environmental Impact and an ordinance amending Chapter 34 of Title 12 of the Municipal Code relating to sign regulations. The City's existing sign regulations were significantly amended in 2005. After administering the regulations for the last three years, staff decided to make minor revisions to the Code allowing more flexibility for businesses and clarifying the existing sign code. The Community Development Department staff worked with local sign companies, the City Attorney's office, and the Planning Commission to develop a legally defensible and easy to use Sign Ordinance. The major changes to the existing sign regulations include adding and amending sign definitions, allowing additional sign area for temporary signs, corner tenants and for tenants abutting U. S. Highway 101, limiting sign area and spacing for monument type signs, and minor revisions to sandwich board signs. At its regularly scheduled meeting on April 16, 2008, the Planning Commission adopted Resolution No. 2507 on a 4-0 vote, with Commissioner Brown absent, recommending that the City Council amend

Chapter 34 of Title 12 of the Santa Maria Municipal Code relating to signs. He pointed out one correction in the Ordinance on Page 9 of Exhibit "A" under Sandwich Board Signs, the words "and Engineering Department" should be eliminated.

Councilmember Zacarías left the dais for a few minutes.

Mayor Lavagnino asked if Mr. Severance's concerns had been addressed in these amendments.

Mr. Halvorson explained that most of his concerns were addressed. Mr. Severance disagreed with various sign types and how sign area was calculated. Director of Community Development Lindsey and he met with Mr. Severance and another sign company representative and developed a policy that had been reviewed by the City Attorney's office which should address one of Mr. Severance's major concerns as far as buildings that were blocked from a public street frontage.

Councilmember Trujillo stated Mr. Severance talked to him about areas where people could not see the signs from the public streets. He directed him to talk to Community Development staff if he had concerns about specific signs. He seemed to be a reasonable person and wanted to work with staff.

Councilmember Orach talked about sandwich board signs and asked if Code Compliance was monitoring those signs that were blocking the sidewalk in some cases.

City Attorney Trujillo suggested Councilmember Orach or any member of the public report those signs to Code Compliance, and they would be removed.

Councilmember Patino asked if Code Compliance staff went out periodically and looked for those types of signs.

City Attorney Trujillo stated they did not. They only responded to complaints due to staffing issues.

City Manager Ness asked if Mr. Severance was included in the meetings and workshops.

Mr. Halvorson stated he was invited to the meetings and did participate. He disagreed with staff on some of the issues, but he had some very good comments.

Mayor Lavagnino opened the public hearing. Hearing no requests to speak, Mayor Lavagnino closed the public hearing.

Resolution No. 2008-73 was adopted authorizing the filing of a Negative Declaration of Environmental Impact, E-2008-008, on motion by Councilmember Patino, seconded by Councilmember Orach, and carried on the following vote:

AYES: Councilmembers Orach, Patino, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: Councilmember Zacarías
ABSTAIN: None

Resolution No. 2008-73 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADOPTING A NEGATIVE DECLARATION FOR ZONING TEXT AMENDMENTS, Z-2008-001, E-2008-008.

Ordinance No. 2008-10 amending the Municipal Code was introduced by title only for first reading and continued to the next meeting for second reading and adoption on motion by Councilmember Patino, seconded by Councilmember Orach, and carried on the following vote:

AYES: Councilmembers Orach, Patino, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: Councilmember Zacarías
ABSTAIN: None

Ordinance No. 2008-10 introduced. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING THE AMENDMENTS TO CHAPTER 34 (SIGNS) OF TITLE 12 OF THE SANTA MARIA MUNICIPAL CODE, Z-2008-001.

Councilmember Zacarías returned to the dais at this time.

AIRCRAFT RESCUE AND FIREFIGHTING SERVICES

Fire Chief Ortiz gave the staff report. Santa Barbara County Fire Department has had an agreement with the Santa Maria Public Airport District ("District") to provide FAA required Aircraft Rescue and Firefighting services for many years. In addition, County Fire has provided automatic aid for fire and EMS responses from the current Airport fire station location to key south and southwest areas within the City limits. On October 13, 2006, a 'Request for Proposal' for Aircraft Rescue and Firefighting Services for the Santa Maria Public Airport District was made public. The City chose to respond to the RFP should the District and County not come to an agreement regarding terms for the contract. The Airport District decided to maintain service with County Fire. However, in November of 2007, the Fire Chief was contacted again and asked to resubmit a proposal. In January of 2008, the Fire Chief was contacted by both, the County Fire Chief and the Airport District Manager, to inform the City of County Fire's intentions to vacate the Airport location, and move their crew to another site. On April 9, 2008, the City was officially notified that the County would be moving from the Airport beginning April 21, 2008. They agreed to continue to provide ARFF service to the Airport with additional personnel through July 31, 2008. The decision by County Fire to move from the Airport location has caused an immediate operational challenge for the City Fire Department. Responses to the far south and southwestern portions of the City to its limits at Foster Road, now need to be covered from Fire Station 2, located at 416 W. Carmen Lane, or Fire Station 4, located at 2637 S. College Drive. Most of these response areas are beyond the City's strategic goal of providing 5-minute responses to 90% of the involved area. A good portion of the response coverage challenges have since been resolved with County Fire, now located in Old Orcutt, responding to the Foster Road corridor, and to some Airport incidents. The City now responds to County areas north of Lakeview, to the City limits. The Fire Department has had numerous meetings with both Airport management and a representative of the District's Board of Directors to develop an agreement for the Fire Department to provide ARFF services to the Airport. The Airport Board of Directors held a special meeting on May 20, 2008, and approved the agreement. The agreement would become effective on or about August 1, 2008, if approved by the City.

Mayor Lavagnino asked if the ARFF Specialist position would be a special designation and not a regular firefighter. He said the agreement would be terminated in three years if not extended, and he wanted to make sure that any layoffs would not affect the regular firefighters.

Chief Ortiz stated that was correct.

Councilmember Zacarías asked if the individuals who would be located at the fire station at the Airport would only respond to incidents at the Airport.

Chief Ortiz replied that was the plan. Since the Airport was paying for that service, they would not respond to incidents off the Airport property except as identified in the agreement.

Councilmember Zacarías asked about the 56-hour work week.

Chief Ortiz explained a 56-hour work week was more cost efficient than a 40-hour work week.

Councilmember Patino asked what impact on personnel this agreement would have on Fire Stations No. 4 and 5.

Chief Ortiz explained that it would cause an operational strain. When there was an alert at the Airport now, two of the City's units responded.

Resolution No. 2008-75 approving the ARFF agreement was adopted on motion by Councilmember Trujillo, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2008-75 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING AN AGREEMENT FOR AIRCRAFT RESCUE AND FIREFIGHTING SERVICES BETWEEN THE CITY OF SANTA MARIA AND THE SANTA MARIA PUBLIC AIRPORT DISTRICT.

BUSINESS RETENTION AND ATTRACTION LOAN

Councilmember Zacarías announced she had a conflict of interest with this item as she provided business consulting services through the Small Business Development Center for the applicant. She left the Council Chambers.

Community Programs Manager Coelho-Hudson gave the staff report. The City Council is asked to consider a recommendation from Coastal Business Finance to approve a loan under the City's Business Retention and Attraction Loan Program in the amount of $200,000 for La Bodeguita, Inc., and Super Carniceria La Chiquita Corporation. The purpose of the loan is to assist Sanchez Properties, LLC, La Bodeguita, Inc., and Super Carniceria La Chiquita Corporation in purchasing and renovating a warehouse complex and office building located at 614-700 West Orange Street. The expansion would allow the borrower to distribute a complete line of grocery products to a wider number of local Hispanic markets. By having a locally-based distributor, these markets would receive true wholesale pricing. The warehouse facility would also allow for more efficient distribution of cooled goods and possibly the addition of mobile food vehicle rentals and commissary services. The subject property, which is located on a 2.32 acre site, would have a large yard that would accommodate mobile food vehicle operators and provide a safe location to store their vehicles overnight. Facilities were planned to clean the vehicles properly, dispose of waste, and purchase fresh food. La Bodeguita, Inc. and Super Carniceria La Chiquita Corporation currently have 91 employees and plan to hire 22 more employees within two years of the project's completion. The recommended term of the loan is at an interest rate of 6 percent to be repaid over a seven-year period. If the borrower fails to comply or violates any City codes or regulations, the loan would become due and payable immediately. The borrower did sign a letter of agreement acknowledging and accepting that condition which would also be incorporated into the loan documents.

Mayor Lavagnino stated he took very seriously the fact that there were code violations that added up to around $20,000 in penalties. He also took seriously the provision that the loan would be due and payable immediately if there were any further code violations.

Councilmember Patino stated her concern was the many years that this borrower ignored the code violations and had over $20,000 in penalties. The violations had been cleared up and the penalties had been paid. She said she also had a concern with the possible addition of mobile food vehicle rentals. She asked if that meant there would be more mobile food vehicles on the road.

Mr. Sanchez explained that he had not ignored the code violations. He asked to make better improvements to his property on 1000 W. Main. He worked with the Planning Department and Building Department to make a better façade on that property. He did his best to make those improvements, but it took a long time. He said they were not proposing to buy or add more trucks. They were responding to a request from the Health Department to install facilities so the vendors could clean their trucks, and the Health Department could better control the trucks. He would not be renting trucks.

Councilmember Orach stated the Health Department was excited about the opportunity to have a central location for doing their inspections.

Councilmember Trujillo stated one of the reasons the City established this loan program was to help people like Mr. Sanchez expand his business. He would be creating more jobs.

Resolution No. 2008-76 was adopted approving the Business Retention and Attraction Loan on motion by Councilmember Trujillo, seconded by Councilmember Orach, and carried on the following vote:

AYES: Councilmembers Orach, Patino, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: Councilmember Zacarías
ABSTAIN: None

Resolution No. 2008-76 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING THE RECOMMENDATION OF COASTAL BUSINESS FINANCE TO FUND A BUSINESS LOAN IN THE AMOUNT OF $200,000 TO LA BODEGUITA, INC., AND SUPER CARNICERIA LA CHIQUITA CORPORATION, UNDER THE BUSINESS RETENTION AND ATTRACTION LOAN PROGRAM AND AUTHORIZING THE CITY MANAGER TO EXECUTE LOAN DOCUMENTS FOR THE AMOUNT AND TERMS SPECIFIED BY CITY COUNCIL.

Councilmember Zacarías returned to the dais at this time.

THIRD QUARTER FINANCIAL REPORT

Director of Administrative Services Snodgrass gave the staff report. With 75 percent of the year complete, revenues were at 64.3 percent of projections while expenditures were at 69.1 percent of appropriations. Total revenue and transfers were $34.3 million which was less than budgeted but $1.2 million more than last year. Departmental expenditures were $39 million, approximately $3.1 million higher than the prior year. The top five revenue sources accounted for about 59.8 percent of total General Fund revenues. Sales tax receipts were approximately $1.4 million more than the prior year, but only 57.5 percent of the yearly expected amount. Vehicle License Fee receipts were approximately $176,000 more than last year and were 53.8 percent of the budget. Property tax receipts were 66.7 percent of budget and $415,200 higher than last year. Operating costs were 5.9 percent less than expected at the end of the third quarter. In the Water/Wastewater Fund, expenditures exceeded revenues by $6.8 million primarily due to State Water payments paid in full at the beginning of the fiscal year. A budget amendment report was included which recommended certain personnel and operational changes as well as an amendment to the City's Conflict of Interest Code to reflect the classification changes.

James Murr spoke on behalf of the Santa Maria Community Coalition and talked about the state of the economy and the recession of the 1990's. He said any capital development projects should be set aside. The City should not engage in acquiring debt. He suggested caution on capital spending.

Resolution No. 2008-77 approving amendments to the 2007-08 budget was adopted on motion by Councilmember Orach, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2008-77 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING AMENDMENTS TO THE BUDGET FOR FISCAL YEAR 2007-08 AND AUTHORIZING THE CITY MANAGER TO IMPLEMENT SAME.

Resolution No. 2007-78 amending the City's Conflict of Interest Code was adopted on motion by Councilmember Orach, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2007-78 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING APPENDIX "A" OF THE CONFLICT OF INTEREST CODE FOR DESIGNATED FILERS OF THE CITY OF SANTA MARIA.

LOS FLORES RANCH PASSIVE RECREATIONAL USE PROGRAM

Director of Recreation and Parks Posada gave the staff report. The City Council is asked to consider a request to adopt a resolution approving a Mitigated Negative Declaration of Environmental Impact, E-2007-085, and a Mitigation Monitoring Program; approving the Los Flores Ranch Passive Recreational Use Program; imposing the terms of the mitigation monitoring program; authorizing the Director of Administrative Services to re-allocate funds for public improvements at the site from existing Park Development Funds not to exceed $150,000; and authorizing the development of a public access fee. Los Flores Ranch contains more than 1,700 acres and has great potential for a variety of beneficial municipal uses. Before this potential can be fully realized, the City must complete a variety of long-term studies including environmental studies. The Recreation and Parks Commission held several public meetings to gather input from the community on what important issues needed to be addressed in providing a public recreation program. During the meetings, the need to make the Los Flores Ranch property available for public use was at the top of the list for many groups. As a result, staff worked with Rincon, the City's consultant, to develop a program for minimum impact use of the Ranch. The Mitigated Negative Declaration of Environmental Impact studies potential environmental issues for a recreational program that includes hiking, bicycling, equestrian activities, wildlife and nature observation, photography, and picnicking. The proposed program includes minor improvements located in portions of the Ranch that are unconstrained by environmental resources and hazards. Finally, the program contemplates creation of a network of recreational trails and associated facilities to support passive recreational use of the Ranch. The Recreation and Parks Commission adopted Resolution No. 2008-02 at its February 12, 2008 meeting, recommending the City Council approve the Mitigated Negative Declaration and Mitigation Monitoring Program and appropriate funding for public improvements.

Mayor Lavagnino asked about the road access to the property.

Director Posada explained that access would be from Dominion Road where there would be a small parking area. They would be limiting the access of the property to 100 people at any one time. It would be up to the groups who have an interest in using the property to help develop a core of volunteer docents that would be on the property registering people and providing information to visitors.

Mayor Lavagnino asked how this would affect Mr. Thompson's lease of the property.

Director Posada explained that the City Attorney's office had reviewed the lease, and staff would be meeting with Mr. Thompson to explain the plans to him, any potential impacts to his operation and how best to mitigate them.

Councilmember Trujillo commented that this was a great piece of property and a very good purchase for the City that would provide benefits for the community for many years to come.

Councilmember Zacarías said she was very excited about this proposal and the passive use of the property. She asked about allowing dogs into the area and hoped the dog owners would be adequately educated that they would need to clean up after their dogs.

Director Posada stated one of the groups was looking for an off-lease area, but they would probably be the group staff worked with to educate the people about the lease requirement. They would provide the pup mitts around the park and an area to deposit them at the entrance of the park.

Councilmember Orach stated the City took the step to buy a beautiful piece of property for a new regional landfill; and, in addition, it would provide some wonderful recreational opportunities.

Resolution No. 2008-79 approving the Mitigated Negative Declaration of Environmental Impact, the Mitigation Monitoring Plan, allocating funds for public improvements, and authorizing the development of a public access fee for the Los Flores Ranch Passive Recreational Use Program was adopted on motion by Councilmember Zacarías, seconded by Councilmember Trujillo, and carried on the following vote:

AYES: Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2008-79 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, MAKING FINDINGS AND DIRECTING THE FILING OF A MITIGATED NEGATIVE DECLARATION, E-2007-085, FOR A PROGRAM OF PASSIVE RECREATIONAL USES AT LOS FLORES RANCH, APPROVING A MITIGATION MONITORING PROGRAM, APPROPRIATING FUNDS FOR PUBLIC IMPROVEMENTS, AND AUTHORIZING THE DEVELOPMENT OF AN ACCESS FEE.

CITY MANAGER'S REPORT

City Manager Ness reported on items expected for the June 3, 2008, City Council meeting including several proclamations, the Draft Storm Water Management Plan, and on Consent staff would be transmitting the budget to the Council and setting the date for the public hearing on the budget for June 17th.

ORAL REPORTS BY COUNCILMEMBERS

Councilmember Trujillo reported on Memorial Day, May 26, 2008, from 12:00 p.m. to 3:30 p.m. the Santa Maria Veterans would be hosting a barbecue to honor veterans and the families of soldiers who have lost their lives in Iraq.

Councilmember Patino thanked the City Departments and the other organizations that participated in the "Every 15 Minutes" at Santa Maria High School. She reported that on May 13th she spoke to the students at the Center for Employment Training.

Mayor Lavagnino reported that he attended the Citizens Youth of the Year award dinner at the Elks. He attended the UCSB Economic Forecast forum. He attended the Rotary Barn Party fundraiser, the Pioneer Valley High School pool opening, the Police Memorial Ceremony on May 14th, and the Santa Maria Valley Chamber of Commerce Tourism lunch that same day. Several Mayors appeared with Joe Armendariz on KUHL radio. He attended the United Way Mayor's Ball and the Good Samaritan Celebrity Softball Game.

Councilmember Zacarias reported that she was gone for a week to attend a family funeral and missed several events. She attended the Mayor's Ball for the United Way. She also reported that the Dana Adobe Heritage Days on May 17th was a huge success.

Councilmember Orach reported that he attended most of the same events as the other Councilmembers. He reminded everyone that Sunday, June 22nd would be the All-America City Hometown Celebration. It would be in front of Abel Maldonado Community Youth Center on McClelland Street and would be a fun day.

ADJOURNMENT
There being no further business to come before the City Council at this time, the meeting was declared adjourned by Mayor Lavagnino at 9:40 p.m.

APPROVED

June 3, 2008
Date

Chief Deputy City Clerk of the City of Santa Maria and ex officio Clerk of the City Council

ATTEST

Chief Deputy City Clerk

Mayor of the City of Santa Maria